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September 30, 2020

VIA ECF

The Honorable Judge Joel H. Slomsky
United States District Court
Eastern District of Pennsylvania
James A. Byrne U.S. Courthouse
601 Market Street
Philadelphia, PA 19106

RE: *Weinman v. Cannon, et al.* 19-CV-18948

Dear Your Honor:

The parties write to respectfully request a ninety-day extension to complete fact discovery in the above-captioned matter. The factual discovery deadline is presently set for October 30, 2020. The parties are requesting a fact discovery deadline of January 28, 2021 for the following reasons.

Plaintiff filed her complaint in the above-captioned matter on October 14, 2019. All Defendants filed answers to Plaintiff's complaint in December 2019. The parties engaged in an initial conference with New Jersey District Court Magistrate Judge Karen Williams on January 16, 2020. On May 27, 2020, the matter was reassigned to Your Honor for all further proceedings.

During the initial telephone status with Your Honor on June 16, 2020, all parties had issued written discovery requests, Plaintiff had responded to all written discovery requests as of June 15, 2020, and Plaintiff was awaiting responses to her written discovery requests from all Defendants. Plaintiff received written discovery responses from Defendant Cannon on July 17, 2020 and Defendant Gallagher on August 3, 2020. Defendants Jordan and Wildwood first responded to Plaintiff's written discovery requests on July 23, 2020, however, paper discovery was withheld pending the entry of the parties stipulated discovery confidentiality order.

On August 3, 2020, Plaintiff received a letter from counsel for Defendants Wildwood and Jordan stating all Defendants were interested in potentially submitting this case to mediation sooner than the previously scheduled November 4, 2020 mediation date before Magistrate Judge Wells in an effort to save significant legal expenses and costs.



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Plaintiff agreed to proceed to non-binding mediation sooner rather than later but requested that she receive the additional discovery, which was subject to the then-proposed confidentiality order from the City in advance of the mediation to make it worthwhile.

On August 20, 2020 the discovery confidentiality order was entered by Your Honor and Defendants Jordan and Wildwood amended their responses to Plaintiff's written discovery requests on September 3, 2020. Plaintiff received supplemental paper discovery from Defendants on September 8, 2020. Additionally, on September 2, 2020, Plaintiff wrote a deficiency letter to Defendant Cannon for failing to respond sufficiently to Plaintiff's interrogatories and document requests. The parties engaged in a meet and confer on September 24, 2020 to discuss outstanding discovery disputes.¹

During the meet and confer, the parties agreed to file a letter with Magistrate Judge Wells to inquire about whether mediation could take place prior to November 4, 2020. Although, at the suggestion of the Defendants, the parties initially contemplated conducting mediation before retired Superior Court Judge Michael Donio, Plaintiff ultimately declined to proceed with mediation before retired Judge Donio, because the earliest date on which the retired judge could entertain the parties was November 6, 2020 and the retired-judge charges a substantial fee that Plaintiff concluded was an unreasonable expenditure of resources.

As of today, the parties are scheduled for mediation with Magistrate Judge Wells on November 4, 2020. The parties plan to continue to work through any remaining discovery disputes in the interim and plan to secure dates for the parties this month, however, the parties are jointly seeking an additional 90 days from October 30, 2020 until January 28, 2021 to conclude fact discovery.

Respectfully submitted,

BONJEAN LAW GROUP, PLLC

/s/ASHLEY COHEN

One of the Attorneys for Plaintiff Weinman

¹ Plaintiff intends to file a motion to compel Defendant Cannon to amend his responses to Plaintiff's written discovery requests pursuant to Fed. R. Civ. P. 33 and 34 since the parties are unable to resolve this dispute.



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